

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

FASSIL FEKADA : CIVIL ACTION  
 :  
 v. :  
 :  
 JOHN ASHCROFT, Attorney :  
 General - US Department of :  
 Justice, et al. : NO. 02-8182

MEMORANDUM AND ORDER

J. M. KELLY, J.

OCTOBER 30, 2002

Petitioner petitions this Court to issue a Writ of Habeas Corpus or otherwise enjoin the removal or detention of the Petitioner by Respondent, Attorney General or his designee, the Immigration and Naturalization Service. In the interest of justice, the Court makes the following findings.

1. Petitioner is subject to an order of removal from the United States and/or the Immigration and Naturalization Service (INS).

2. The Respondents have not had sufficient opportunity to respond to petitioner's pleading.

3. Petitioner may be irrevocably injured if removed prior to an adjudication of his Complaint for Injunctive Relief and Petition for Writ of Habeas Corpus.

4. Respondents will suffer no irrevocable harm by delaying the enforcement of the removal order until this adjudication is completed.

AND NOW, this 30<sup>th</sup> day of October, 2002, it is ORDERED that the Respondents are enjoined from removing the Petitioner from the United States until further Order of this Court.

BY THE COURT:

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JAMES MCGIRR KELLY, J.